

UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

WENDY SUE MILLER,

Plaintiff,

v.

ANDREW SAUL,  
Commissioner of Social Security,<sup>1</sup>

Defendant.

:  
:  
:  
:  
:  
:  
:  
:  
:  
:  
:  
:

3:17-CV-1564  
(JUDGE MARIANI)  
(MAGISTRATE JUDGE ARBUCKLE)

ORDER

AND NOW, THIS 4<sup>th</sup> DAY OF NOVEMBER 2019, upon *de novo*

review of Magistrate Judge Arbuckle's Report and Recommendation ("R&R") (Doc. 18),

Plaintiff's objections thereto (Doc. 19) and all other relevant documents, **IT IS HEREBY**

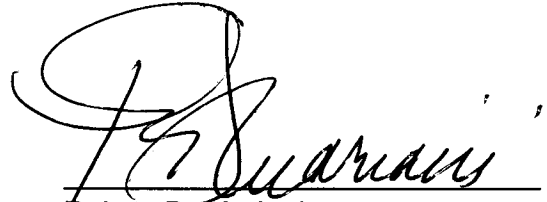
**ORDERED THAT:**

1. The R&R (Doc. 18) is **ADOPTED** for the reasons set forth therein;
2. Plaintiff's objections (Doc. 19) are **OVERRULED** for the reasons discussed herein;
3. Plaintiff's appeal is **DENIED**;

---

<sup>1</sup> Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure and 42 U.S.C. § 405(g), Commissioner Andrew Saul is automatically substituted as the named defendant in place of the former Acting Commissioner of Social Security, Nancy A. Berryhill. See Fed. R. Civ. P. 25(d) ("An action does not abate when a public officer who is a party in an official capacity dies, resigns, or otherwise ceases to hold office while the action is pending. The officer's successor is automatically substituted as a party").

4. The Commissioner of Social Security's decision is **AFFIRMED**;
5. The Clerk of Court is directed to **CLOSE** this case.

A handwritten signature in black ink, appearing to read "R. Mariani", written over a horizontal line.

Robert D. Mariani  
United States District Court Judge